

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X **Docket#**
UNITED STATES OF AMERICA, : 23-mj-00956-LB
: :
: :
- versus - : U.S. Courthouse
: Brooklyn, New York
NIKOLAY GOLTSEV, et al., : :
: October 31, 2023
Defendants : 3:45 p.m.
-----X

TRANSCRIPT OF CRIMINAL CAUSE FOR ARRAIGNMENT
BEFORE THE HONORABLE LOIS BLOOM
UNITED STATES CHIEF MAGISTRATE JUDGE

A P P E A R A N C E S:

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Proceedings

1 THE CLERK: So we have a Criminal Cause for an
2 Arraignment. It is 23-mj-956, *The United States v.*
3 *Nikolay Goltsev, Salimdzhon Nasriddinov, Kristina*
4 *Puzyreva.*

5 Counsel, state your appearances, please,
6 starting with the government.

7 MR. McCONNELL: Your Honor, good afternoon.
8 Artie McConnell for the United States.

9 MS. SACKS: Good afternoon, your Honor. Sarah
10 Sacks for Mr. Goltsev who's sitting to my right.

11 MS. ALVAREZ: Good afternoon, your Honor.
12 Virginia Alvarez on behalf of Mr. Nasriddinov.

13 MR. DAHLBERG: Good afternoon, your Honor.
14 Jeff Dahlberg, Federal Defenders, on behalf of Ms.
15 Puzyreva.

16 THE COURT: Good afternoon, Mr. Goltsev, Mr.
17 Nasriddinov, and Ms. Puzyreva. And I apologize if I'm
18 mispronouncing your names.

19 The purpose of today's proceeding is to make
20 sure that you understand the nature of the charges being
21 made against you by the United States of America and to
22 make sure that you understand that you have certain
23 constitutional rights.

24 First, you have the right to be represented --
25 I'm sorry, Mr. Nasriddinov's earpiece does not appear to

Proceedings

1 be working and we have an interpreter here. Could I
2 please ask the interpreter to state your name for the
3 record?

4 THE INTERPRETER: Russian interpreter
5 Kostantine Garnov, G-A-R-N-O-V.

6 THE COURT: And Mr. Garnov, can you please
7 raise your right hand? And is the other gentleman also
8 going to interpret? Your name, sir?

9 THE INTERPRETER: Sanjar Babadjanov.

10 THE COURT: And are you also going to interpret
11 if need be?

12 THE INTERPRETER: If need be, yeah.

13 THE COURT: Okay. So both of you please raise
14 your right hand.

15 (Interpreters sworn)

16 THE COURT: Thank you. So back to you. The
17 purpose of the proceeding is to make sure that you
18 understand the nature of the charges being made against
19 you by the United States of America and to make sure that
20 you understand that you have certain constitutional
21 rights.

22 Mr. Nasriddinov, it's not working for you?

23 DEFENDANT NASRIDDINOV: Yes, it's working right
24 now.

25 THE COURT: Okay. Very good. Just put up your

Proceedings

1 hand like this if it's not working. Okay, sir? It's
2 important that you understand these proceedings.

3 UNIDENTIFIED SPEAKER: Hello?

4 THE COURT: I don't know who's on the line but
5 whoever's on the line, please mute yourself.

6 We're taking a moment so that Mr. Nasriddinov's
7 earpiece and the interpreter's are connected.

8 (Pause in proceedings)

9 THE COURT: Okay. Start over. The purpose of
10 today's proceeding is to make sure that you understand
11 the nature of the charges being made against you by the
12 United States of America and to make sure that you
13 understand that you have certain constitutional rights.

14 First, you have the right to be represented by
15 an attorney at today's proceeding and at all future
16 proceedings before this Court. And if you are unable to
17 afford counsel, the Court will appoint counsel to
18 represent you.

19 Toward that end, Mr. Goltsev, when you met with
20 Pretrial Services you filled out a financial affidavit.
21 It states that you do have a job, that you earn
22 approximately \$14,000 a month, that you own a Lexus, that
23 you have a home that's worth approximately \$1 million but
24 you owe \$250,000. And at least for the purpose of
25 today's proceeding, the Court will appoint counsel for

Proceedings

1 you and finds that you'd be unable to afford counsel.
2 And the Court has appointed Ms. Sacks, who's a member of
3 the Criminal Justice Act panel, to be your attorney in
4 today's proceeding and all future proceedings before the
5 Court.

6 And I understand that you just met Ms. Sacks
7 and quite frankly, I have just met Ms. Sacks. But I do
8 want you to know that all lawyers who are part of the
9 Criminal Justice Act panel of this court are lawyers who
10 have substantial federal criminal trial experience, that
11 you have to apply. They do not let any lawyer just be on
12 this panel.

13 The others on the phone, please mute the phone.

14 So again, Ms. Sacks is appointed to represent
15 you in this matter and will be your attorney.

16 Ms. Alvarez was chosen by you, Mr. Nasriddinov,
17 and you're entitled to counsel of your own choice. But
18 if for any reason you become unable to afford counsel,
19 you may make an application to the Court.

20 And last but not least, Ms. Puzyreva, you also
21 filled out a financial affidavit which states that you
22 earn approximately \$2,700 a month, that you own a home
23 and a Lexus, I think the same as your husband. And based
24 on the financial affidavit, the Court appoints the
25 Federal Defenders of New York to represent you in this

Proceedings

1 matter.

2 And I understand that you just met your counsel
3 today but I will tell you that Mr. Dahlberg has been a
4 member of the Federal Defenders for --

5 MR. DAHLBERG: I've been doing --

6 THE COURT: You were in Maryland first and then
7 you came here, correct?

8 MR. DAHLBERG: I've been doing this seven and a
9 half years. I came here this year.

10 THE COURT: So I just want you to know that
11 Federal Defenders are some of the best lawyers we see
12 quite frankly, that they are the ones who every day are
13 appearing before the judges of this court and they do
14 nothing else except represent people in this court who
15 are unable to afford counsel.

16 So I'm saying that because you've never been
17 arrested before. You don't even come from this country.
18 So I just want you to know that the attorneys that you
19 have been appointed are not part of the government. They
20 are appointed for you, but they are not somebody who is
21 an arm of law enforcement. They are separate and they
22 will represent you zealously in this matter. And Ms.
23 Alvarez has been chosen by Mr. Nasriddinov, and you're
24 entitled to counsel.

25 You have the right to remain silent. If you

Proceedings

1 started to make a statement, you may stop. Any statement
2 that you make to anyone other than your attorney can be
3 used against you in the court. Do you understand that
4 you have the right to counsel and the right to remain
5 silent, Mr. Goltsev?

6 DEFENDANT GOLTSEV: Yes.

7 THE COURT: Do you understand that you have the
8 right to counsel and the right to remain silent, Mr.
9 Nasriddinov? I need you to use your voice?

10 DEFENDANT NASRIDDINOV: Yes.

11 THE COURT: And do you understand that you have
12 the right to counsel and the right to remain silent, Ms.
13 Puzyreva? Can you just make sure that there's a mic
14 behind, Mr. Dahlberg, your computer? Behind your
15 computer there's a flat mic.

16 MS. SACKS: I don't think so.

17 MS. ALVAREZ: No, there's no flat mic, your
18 Honor.

19 MR. DAHLBERG: No, your Honor.

20 DEFENDANT PUZYREVA: Yes.

21 THE CLERK: Jeff, you guys can turn around and
22 use this table if you'd like. I'm sorry.

23 THE COURT: Ms. Puzyreva, do you mind turning
24 to this table where there's a mic? Because you have a
25 very soft voice and I need to take everybody's answers.

Proceedings

1 So do you understand you have the right to counsel and
2 the right to remain silent?

3 DEFENDANT PUZYREVA: Yes.

4 THE COURT: Thank you. Starting back with you,
5 Mr. Goltsev, have you had the opportunity to review the
6 affidavit and complaint in support of the arrest warrants
7 with your attorney?

8 DEFENDANT GOLTSEV: Yes, I did.

9 THE COURT: And do you understand the charges
10 that are being made against you?

11 DEFENDANT GOLTSEV: I do.

12 THE COURT: And Ms. Sacks, have you had the
13 opportunity to review the affidavit and complaint with
14 your client?

15 MS. SACKS: Yes. Yes, your Honor. I've
16 reviewed it with my client. I believe that he
17 understands what the charges are based on our
18 conversations about it. We waive --

19 THE COURT: And have you advised him of his
20 constitutional rights?

21 MS. SACKS: Yes, I've --

22 THE COURT: There's no indictment now, so
23 there's no reading the indictment.

24 MS. SACKS: Oh. I have advised him of his
25 constitutional rights and --

Proceedings

1 THE COURT: Very good, very good. And now to
2 you, Mr. Nasriddinov. Have you reviewed the affidavit
3 and complaint in support of the arrest warrant with your
4 lawyer?

5 DEFENDANT NASRIDDINOV: Yes.

6 THE COURT: And do you understand the charges
7 that are being made against you?

8 DEFENDANT NASRIDDINOV: Yes.

9 THE COURT: And Ms. Alvarez, have you reviewed
10 the complaint with your client?

11 MS. ALVAREZ: Yes, your Honor. And I'm
12 confident he's aware and --

13 THE COURT: You're confident he understands it?

14 MS. ALVAREZ: He understands everything, yes.

15 THE COURT: And have you advised him of his
16 constitutional rights?

17 MS. ALVAREZ: Yes, your Honor.

18 THE COURT: And now to you, Mr. Dahlberg. Have
19 you -- no. Actually, Ms. Puzyreva, have you reviewed the
20 complaint with your attorney?

21 DEFENDANT PUZYREVA: Yes, I did.

22 THE COURT: And do you understand the charges
23 that are being made against you?

24 DEFENDANT PUZYREVA: Yes, I did.

25 THE COURT: Thank you. And Mr. Dahlberg, have

Proceedings

1 you reviewed the complaint with your client?

2 MR. DAHLBERG: Yes, your Honor.

3 THE COURT: Do you believe she understands the
4 charges?

5 MR. DAHLBERG: I do.

6 THE COURT: And have you advised her of her
7 constitutional rights?

8 MR. DAHLBERG: Yes, your Honor.

9 THE COURT: Now, the Court has received a
10 detention memo meaning that the government has filed a
11 letter with the Court saying that you should be detained
12 pending your trial on these charges. I'm not going to
13 repeat everything that's in the letter because I assume
14 that all of the lawyers have had that letter. Is that
15 correct, Ms. Sacks?

16 MS. SACKS: It is correct, your Honor.

17 THE COURT: And Ms. Alvarez?

18 MS. ALVAREZ: Yes, your Honor.

19 THE COURT: And Mr. Dahlberg?

20 MR. DAHLBERG: Yes, your Honor.

21 THE COURT: And so I am just going to ask you,
22 Mr. McConnell to give me the highlights of the letter on
23 the record. Please stand. Thank you.

24 MR. MCCONNELL: Thank you, Judge.

25 The government believes that detention is

Proceedings

1 appropriate for all three of these defendants. The risk
2 of flight for each of them is simply too great. We're
3 not making any dangerousness arguments. We believe that
4 the public law enforcement action that's been taken with
5 their arrests has neutralized the operation that they
6 were involved in. But the risk of flight remains for all
7 three of these defendants.

8 The offense conduct in this case is obviously
9 very serious. I'm not going to summarize it. I think
10 the letter does that and the complaint certainly does as
11 well. But I think the main point that I want to make
12 regarding the offense conduct is that the proof is very,
13 very strong and it's buttressed by communications amongst
14 these three defendants. Communications which really
15 could not be more clear or unambiguous as to their
16 knowledge and their intent of the conduct that they were
17 engaged in.

18 With respect to each defendant, I'll just hit a
19 few of the highlights.

20 With respect to Ms. Puzyreva, she is obviously
21 married to her co-defendant, Mr. Goltsev. She is in full
22 awareness of what he was doing at a company called
23 Electronic Network which was run out of Montreal, Canada,
24 where they both reside. Earlier this year, Electronic
25 Network was sanctioned by the Department of Commerce

Proceedings

1 precisely for the conduct that is alleged in this
2 complaint. Ms. Puzyreva used her name to be on one, at
3 least one front company that the government's aware of.
4 She used her name on several bank accounts that were used
5 in furtherance of the scheme. The government's in
6 possession of conversations between her and her husband
7 regarding payments and shipments. She made many
8 movements in structured deposits in furtherance of the
9 scheme as detailed in the complaint here in the United
10 States and has been surveilled as recently as two days
11 ago with the co-defendants at dinner.

12 With respect to Mr. Nasriddinov, he was really
13 in charge of running the logistics from Brooklyn to make
14 the scheme work. He would receive packages at addresses
15 that he would control both at a restaurant and his
16 residence. He would use his family members, frankly, to
17 repackage the items and send them to at least a dozen
18 different front companies that the government's been able
19 to identify where they were then transshipped to Russia.
20 Again, the conversations amongst the defendants makes it
21 very clear where the ultimate destination and who the
22 ultimate end user of these products are.

23 He does have an electrical engineering
24 background. I believe he has a doctorate and is a
25 published author, so there's no mistake about the

Proceedings

1 character and use of the components, many of which are
2 dual use. They can go in a washing machine just as well
3 as they can go into an unmanned aerial vehicle. But he
4 has the apparent expertise to know that.

5 With respect to Mr. Goltsev, he has been
6 involved in this activity by the government's own
7 investigation for at least a decade with direct
8 communication between Russian military end users and
9 United States companies who both manufacture and
10 distribute various types of electronics.

11 Those relationships and some of those sales,
12 while not necessarily illegal prior to February of 2022
13 when new sanctions and export controls were rolled out,
14 he continued those relationships regardless, changed his
15 operations, began entering into the conspiracy with Mr.
16 Nasriddinov where they used the SH Brothers and later the
17 SN Electronic corporate entities to facilitate this
18 conduct. And again, the communications make very clear
19 he knows what he's doing. He uses aliases, more than
20 one. He jokingly referred to them at one point as his
21 creative pseudonyms. But he shows all the hallmarks of
22 fraud and deception which I think make detention really a
23 nonstarter for him in this case.

24 THE COURT: You mean release.

25 MR. McCONNELL: I'm sorry, being released.

Proceedings

1 Yes.

2 So that's the offense conduct and the strength
3 of the evidence.

4 With respect to each defendant's flight risk,
5 Mr. Nasriddinov is differently situated. He's been in
6 Brooklyn for a number of years. He does have strong
7 community ties. His family is here. The bail package
8 that has been presented is not something that we dismiss
9 out of hand. However, I think it's notable that both the
10 house and the restaurant that he owns and controls were
11 both used in furtherance of the scheme. His wife's name
12 is the registered name on one of the two shell companies.
13 His daughter is involved in the SH Brothers platform.

14 So the idea that the moral suasion exists when
15 he was so willing to involve his family in what he knew
16 to be criminal conduct I think is something that needs to
17 give the Court pause when evaluating that bail package.

18 He's also not a citizen of the United States.
19 He's a citizen of Russia and Tajikistan I believe,
20 neither of which has an extradition treaty with the
21 United States.

22 With respect to Ms. Puzyreva and Mr. Goltsev,
23 they are not U.S. citizens. They have no ties to New
24 York. They were here frankly in furtherance of the
25 conspiracy meeting with Mr. Nasriddinov. \$20,000 in cash

Proceedings

1 was recovered from their hotel room this morning. I can
2 infer that it was money that was received pursuant to the
3 conspiracy since that's what has transpired on prior
4 visits because the government has surveilled them on
5 prior occasions when they had been here.

6 There are no ties. They have ties to Russia,
7 again, which is a non-extradition country. If the Court
8 takes their passports and puts them on electronic
9 monitoring, those bracelets can be removed. They can
10 drive back to Canada without a passport and no one would
11 be the wiser.

12 So for all of those reasons, Judge, I think
13 that the government's motion is the only way to ensure
14 that these three defendants return to court. Thank you.

15 THE COURT: Before I go and ask everybody what
16 they have to offer, can I just question you a bit, Mr.
17 McConnell?

18 MR. McCONNELL: Yes, absolutely.

19 THE COURT: Again, I agree with you that the
20 allegations are very serious and that the government
21 seems to have quite a bit of evidence already from the
22 investigation. The several questions I have is none of
23 these people have any criminal records from what Pretrial
24 has shown, and the idea that this is going to take a good
25 amount of time to get to trial. I understand that there

Proceedings

1 may not be a bail package that they have proffered today,
2 but again, for people who have no criminal history -- I
3 agree with you, the risk of flight is great, Canada,
4 Russia, Canada being much closer and they can drive to.
5 And the point that was made in the detention letter is
6 that they could go into the Russian Embassy. I didn't
7 even know the Russian Embassy was still open to tell you
8 the truth in New York, but that's the allegation that's
9 made in the letter and that they would be beyond capture
10 by the United States.

11 So I understand that a finding of risk of
12 flight only needs to be supported by a preponderance of
13 the evidence. And I also understand that the defendants
14 are charged in a transnational sanctions and export
15 control scheme for the benefit of a foreign power that is
16 actively engaged in an armed conflict. I understand that
17 they may be facing 63 to 78 months if they're convicted
18 and they're in category I.

19 But I also want to say that if there is
20 something presented where they could be released,
21 especially with no criminal history, I would want the
22 government to at least consider it. It need not be
23 today.

24 MR. McCONNELL: We were, and I relayed this to
25 counsel, we are always open to considering whatever

Proceedings

1 package is put forth. What I've heard today so far
2 unfortunately is not sufficient. I agree with the Court,
3 the lack of criminal record for all of these defendants
4 is significant. It's something we consider. But it's
5 only one factor that we have to balance.

6 THE COURT: Okay. Who wants to be heard? Ms.
7 Sacks?

8 MS. SACKS: Yes. Based on my conversations
9 with my client and what we've heard in court, we're
10 willing to consent to detention without prejudice to a
11 future bail application.

12 THE COURT: Well, you don't have to consent to
13 detention. We can order that he be detained until such
14 time that you have something to present to the Court.
15 And I do want Mr. Goltsev to understand he does have
16 constitutional rights. Remember, I've given you your
17 warnings about speaking with anyone other than your
18 attorney. But you would be held at the Metropolitan
19 Detention Center. She would be able to visit you there.
20 You would be able to work on your defense. Again, if you
21 don't have something today to present, you have
22 unfettered ability to put this on the Court's calendar
23 and to make an application in the future.

24 MS. SACKS: And that's all I want the Court to
25 know and also for my client's benefit, for him to

Proceedings

1 understand that at the time that we are able to put a
2 suitable package together, that we will be seeking bail
3 in this case.

4 THE COURT: So again, as I said, it's because
5 of the risk of flight that this is a difficult case for
6 the defendants because you have no ties to this country
7 and you do have ties to foreign countries. So that's
8 what's difficult for your client to overcome.

9 And so again, I am going to order that you be
10 detained pending trial. And I am going to say that you
11 can come back at any point in time where there is a basis
12 to do so.

13 What is Mr. Goltsev's position with respect to
14 a preliminary hearing?

15 DEFENDANT GOLTSEV: I do agree.

16 THE COURT: Excuse me?

17 DEFENDANT GOLTSEV: I do agree.

18 THE COURT: Have you discussed preliminary
19 hearing with him, Ms. Sacks?

20 MS. SACKS: I have not.

21 DEFENDANT GOLTSEV: Oh, you mean compared to
22 the -- I'm sorry, I think I didn't get --

23 THE COURT: I don't think you did, sir.

24 DEFENDANT GOLTSEV: Yeah. Sorry.

25 THE COURT: Your lawyer is going to talk to

Proceedings

1 you.

2 MS. SACKS: Yes.

3 THE COURT: And I'll come back to you on that.

4 DEFENDANT GOLTSEV: Sure.

5 MS. SACKS: Yes.

6 THE COURT: Okay? Okay. So now I'm turning to
7 you, Ms. Alvarez.

8 MS. ALVAREZ: Your Honor, my client has strong
9 ties to the community which is considered by the
10 government. He is a legal resident possessing his green
11 card. His family are naturalized citizens. His wife and
12 his daughter are present today. I have had continuous
13 contact with his two other children. They're all
14 enrolled in college here in New York State.

15 We are presenting his home, which is the
16 marital residence, which has a value estimated at 1.2
17 million. Possibly 1 -- the market is such that Brooklyn
18 properties are going I think --

19 THE COURT: I'm not worried about the Brooklyn
20 properties.

21 MS. ALVAREZ: Right. We also --

22 THE COURT: I'm worried about the connections,
23 the businesses in his wife's name that they're making I
24 think it's \$7 million was the --

25 MS. ALVAREZ: I heard the allegations, your

Proceedings

1 Honor. Of course counsel for the government is in
2 possession of all the discovery which obviously we have
3 not had an opportunity to review. I've discussed --

4 THE COURT: And you see in the detention letter
5 at the bottom of page 2 it says, "During the period
6 charged in the complaint, SH Brothers has been one of the
7 largest exporters of integrated circuits to Russia via
8 third country transshippers. Indeed, in or about and
9 between August 2022 and September 2023 SH Brothers made
10 over 266 shipments of electronic components valued at
11 approximately \$7,174,693 that were sent to known third
12 country transshipment entities and then sent to Russia."
13 It doesn't mean he made \$7 million. But this was a large
14 enterprise.

15 MS. ALVAREZ: I understand the allegations that
16 are against my client, your Honor, and I've addressed
17 them and he's well aware of the severity of them. He
18 stands firm as to his innocence and is set to fight this
19 matter and not leave. His family is here.

20 Yes, he did go back and forth for some time
21 overseas while he was finishing that Ph.D. which was not
22 in electrical engineering. It was in fact in economics.
23 His undergraduate degree was in civil engineering, so he
24 knows how to make highways according to his statement to
25 Pretrial Services.

Proceedings

1 His children are here. His children are not
2 going back to Russia or Uzbekistan or any foreign entity.

3 THE COURT: How many children does he have?

4 MS. ALVAREZ: Excuse me, your Honor?

5 THE COURT: How many children does he have?

6 MS. ALVAREZ: He has three children, your
7 Honor.

8 THE COURT: And the daughter that's here is
9 alleged to be in the business with him.

10 MS. ALVAREZ: That was an allegation that --
11 you know, I have addressed it. It's my understanding
12 that agents interviewed her today. I'm not sure whether
13 she had counsel present or not or whether she is a target
14 of this investigation. I have suggested that in the
15 future she should have counsel present if she is going to
16 be questioned again.

17 His three children are enrolled in college here
18 in New York State. There is also a suretor that is
19 willing to sign a bond. And we would submit to --

20 THE COURT: Who's the suretor that's willing --

21 MS. ALVAREZ: His cousin is a business
22 associate in a different business, a restaurant, your
23 Honor. He also has a trucking company that are not
24 subject -- the restaurant is --

25 THE COURT: I'm sorry, I'm not understanding

Proceedings

1 who the people are. You said his wife and his daughter
2 who are here.

3 MS. ALVAREZ: Are here.

4 THE COURT: Would be willing to sign. But
5 they're not willing to --

6 MS. ALVAREZ: Well, my understanding is from
7 Pretrial Services they would not want the children to do
8 so because they're involved in college and that would be
9 an undue burden on them. So therefore, there is a cousin
10 who should be on the line who's --

11 THE COURT: What about the wife?

12 MS. ALVAREZ: The wife, I would be able to sign
13 for him. I'm just not sure if she would qualify.

14 THE COURT: I don't know that she would either
15 because she has her name on a business that's associated
16 with this.

17 MS. ALVAREZ: Hence the reason why it's --

18 THE COURT: But she owns the home with him. So
19 if you're putting up the home, you have to have both
20 people who own the home.

21 MS. ALVAREZ: The home is held only in my
22 client's name.

23 THE COURT: Okay.

24 MS. ALVAREZ: Although it is a marital asset,
25 so she would sign as well because I mean realistically --

Proceedings

1 THE COURT: Okay. Who else do you have?

2 MS. ALVAREZ: The cousin. The cousin who
3 should be on the line whose photo identification we
4 provided to the Court. And I've also --

5 THE COURT: Where is the cousin?

6 MS. ALVAREZ: He's located in Brooklyn and
7 right now is probably driving towards the courthouse
8 because I advised to please have him moving here.

9 THE COURT: Again, just for future reference --

10 MS. ALVAREZ: Yes.

11 THE COURT: -- anybody who's signing a bond,
12 unless they are located --

13 MS. ALVAREZ: Yes.

14 THE COURT: -- in another part of the world,
15 they must be here. I'm not taking people by phone.

16 MS. ALVAREZ: I understand that, your Honor.

17 THE COURT: So the cousin does what? Has
18 another restaurant you said?

19 MS. ALVAREZ: They own a restaurant, yes.

20 THE COURT: They? It's one or more people?

21 MS. ALVAREZ: They being my client owns the
22 restaurant together with his cousin. And he --

23 THE COURT: So the cousin doesn't have another
24 business?

25 MS. ALVAREZ: I'm not sure of what his --

Proceedings

1 THE COURT: So this is the Tandoori Restaurant?

2 MS. ALVAREZ: Yes. And he was spoken to by
3 Pretrial Services as well and was identified as a
4 resource to sign the bond.

5 THE COURT: Okay. Who else?

6 MS. ALVAREZ: Those are the individuals we
7 believe that would satisfy --

8 THE COURT: That's one person.

9 MS. ALVAREZ: Well, that and then the home and
10 then --

11 THE COURT: That's not going to be sufficient,
12 Ms. Alvarez.

13 MS. ALVAREZ: What about electronic monitoring,
14 your Honor?

15 THE COURT: Oh, that's always going to be part
16 of this, but that's not going to be sufficient to have
17 the cousin who's in business with him sign the bond.
18 That's not sufficient.

19 The concern, Ms. Alvarez, is not his criminal
20 past but that this is a big money enterprise so he has
21 access to money. And as much as he may want his kids to
22 stay, I don't know, they may be United States citizens.
23 He's not. He has ties to Tajikistan and to Russia. And
24 again, I understand that it would be a lot for him to
25 leave the country, I do, but that's the problem. He's

Proceedings

1 the one that is accused of this federal crime.

2 MS. ALVAREZ: I understand.

3 THE COURT: It's not his children and it's not
4 his wife at this point.

5 MS. ALVAREZ: I understand that, your Honor.
6 The Court is in possession of his two passports. If
7 there's location services and there is a concern that he
8 would walk into the embassy --

9 THE COURT: I'm saying one suretor is not
10 enough, Ms. Alvarez. So I don't think you want me to
11 deny a bail package.

12 MS. ALVAREZ: No, I understand that.

13 THE COURT: I think that you want to take your
14 time to put together -- because if he's been here for a
15 number of years and he has other people who are outside
16 of his businesses, so not people that are beholden to him
17 because he is in business with them where money is
18 fungible.

19 MS. ALVAREZ: No problem, your Honor. I
20 understand.

21 THE COURT: So again, in this court you are
22 still presumed innocent and you're entitled to make a
23 bail application. But what I'm saying is because you're
24 ties are to two foreign countries where there is no
25 agreement to bring you back should you flee, this Court

Proceedings

1 has to make sure that any application is well supported
2 and is not just people who you're very close to and they
3 owe you something. One person is not enough. Even if he
4 was in court today, I wouldn't release you on one
5 signature. You're going to -- how many years has your
6 client been in this country?

7 DEFENDANT NASRIDDINOV: It's on my eighth year.

8 THE COURT: So you should have more than one
9 person willing to stand up for him.

10 DEFENDANT NASRIDDINOV: Will my wife and my
11 cousin be enough to sign?

12 THE COURT: No.

13 MS. ALVAREZ: Your Honor, I'm going to ask if
14 the interpreter can --

15 THE COURT: Stay after to talk with --

16 MS. ALVAREZ: Yes.

17 THE COURT: So what I'm saying, and your lawyer
18 doesn't want you to speak because then you can't take it
19 back, but your wife is disqualified because you put her
20 name on the business. She might have to sign because if
21 you're putting up your house, even if you're the sole
22 owner of the house in the United States because she's
23 your wife, she has rights to the house. If you were to
24 pass away, she would have rights to the house. It's not
25 working again. You'll explain this to him.

Proceedings

1 THE INTERPRETER: It's working again.

2 THE COURT: Okay. So your wife and your cousin
3 would not be sufficient, no. The problem is really that
4 you have ties to two foreign countries not because you
5 have been convicted of any crime before, but you have to
6 establish that you are not going to be a risk of flight.
7 Okay?

8 All right. So Mr. Dahlberg?

9 MR. DAHLBERG: Thank you, your Honor. Ms.
10 Puzyreva is asking for the Court to release her on
11 conditions. Our package is a little different than her
12 co-defendant. We unfortunately don't have a surety to
13 offer who is based in the United States, but we would
14 propose that the Court release her on the condition that
15 she surrender her passports, that she be placed on
16 location monitoring, and that she reside at the same
17 hotel where she was arrested until she can secure a more
18 permanent residence in the New York City area, and be
19 placed on location monitoring.

20 The reason that we're here making this package
21 today, one of the principal reasons, your Honor, is that
22 Ms. Puzyreva works full time. She works for a menswear
23 apparel company called Psycho Bunny. She works remotely
24 four days a week but has to check in and go in in person
25 one day a week. Her company has an office in Manhattan

Proceedings

1 so she would be able to go into the office in Manhattan
2 and then work remotely the other days. But she's at risk
3 of losing her job, your Honor, if she were to be detained
4 even for the time that might be necessary to put a
5 different package together. But we believe that she
6 would qualify for release for -- there's a couple of
7 reasons.

8 I think number one, Ms. Puzyreva's differently
9 situated from her co-defendants so much so I think that I
10 don't believe the government has made a showing that
11 there's even a serious risk of flight in this case under
12 3142(f)(2)(A). Yes, Ms. Puzyreva has ties to another
13 country. She has family in Russia. We don't dispute
14 that. But I don't think she has the same degree of
15 connection especially as it relates to the business
16 that's implicated in the complaint such that --

17 THE COURT: It does say that she made numerous
18 bank -- she utilized numerous bank accounts to make
19 financial transactions in furtherance of the scheme. So
20 they used her to sort of put -- money launderer is what
21 the essence of the complaint is. I'm not trying to speak
22 for the government, but that's what the allegation is.

23 MR. DAHLBERG: And I'll address that, your
24 Honor. I think in furtherance of the scheme, I mean I
25 have not heard the government present specific evidence

Proceedings

1 to support that conclusion that deposits were made in
2 furtherance of the scheme. Certainly, we're not
3 disputing, at least for purposes of today, that Ms.
4 Puzyreva had her name on different bank accounts that she
5 made and had her name on, I believe the government
6 referred to it as a front company, that she was involved
7 in financial transactions. The financial transactions by
8 themselves aren't enough to indicate that she even had
9 the requisite knowledge that the components were being --
10 that the end user, the end destination of these
11 components was to Russia.

12 I've looked at the complaint, I've looked at
13 the allegations that are in the detention memo. There's
14 a couple of specific text message exchanges mentioned
15 between Ms. Puzyreva and I believe her husband. I did
16 not see, and I have not heard the government come forward
17 with any specific allegation that Ms. Puzyreva was aware
18 of where these components were going or that they were
19 specifically going to Russia.

20 THE COURT: But they do say that she's received
21 over 130 packages at her Canadian address from the U.S.
22 electronics distributors over the past five years. And
23 if her business is menswear, then she's certainly got a
24 sideline here. And they're saying that she's the named
25 principal of Simatech Group which is affiliated with the

Proceedings

1 electronic network. So she's not completely out of the
2 scheme here.

3 MR. DAHLBERG: And I don't mean to argue that
4 she's completely out of it, that she didn't have a
5 connection, your Honor. As I mentioned, she's a
6 signatory on the bank account. I take the government's
7 proffer that she was depositing significant amounts of
8 money at ATMs especially when she was here in New York.

9 But receiving components and receiving packages
10 at her residence in Canada I don't believe is sufficient
11 for us to infer that she had knowledge of where these
12 components were going.

13 And I just mention that, your Honor, not to get
14 into a mini-trial or anything like that, but I do think
15 it goes to the weight of the evidence here and I do think
16 it's significant and it differentiates Ms. Puzyreva
17 compared to --

18 THE COURT: I would agree with that but also
19 I'm afraid, and I'd give Mr. McConnell a chance to
20 address it, I'm afraid of several things.

21 One, she has what Mr. Goltsev has, so their
22 residence, their vehicle, all of that's the same. The
23 proffer that she could get up to Canada and be out of the
24 country, Canada has extradition with the United States
25 but Russia does not. So again, the concern is that if we

Proceedings

1 let her out at all, that she will not come back to face
2 these charges.

3 I do note that she has a thyroid condition,
4 she's taking a medicine, that the only reason why she
5 would be held is because of her ties to Canada and
6 Russia. I don't know, she was arrested at a hotel. I
7 know nothing about this. So he's suggesting that if she
8 was electronically monitored and could stay at the hotel,
9 she could work at the Manhattan office with permission of
10 Pretrial. They'd know the address of the office. They'd
11 be able to check the address of the office. She'd be
12 able to work from the hotel and go to that job so that
13 she wouldn't lose the job.

14 That's what you're offering. Nobody else
15 signing onto this. There's nobody in North America that
16 would sign for your client?

17 MR. DAHLBERG: Not at this time, your Honor.
18 And I don't want to foreclose that in the future.

19 THE COURT: How long has she been in Canada?

20 MR. DAHLBERG: She's lived there I believe
21 since -- 14 years, your Honor. So she --

22 THE COURT: And there's not another person
23 except her husband, who's accused here, who would stand
24 up for her?

25 MR. DAHLBERG: Your Honor, she has I believe

Proceedings

1 one family member in the United States. She has
2 coworkers who I have not attempted to speak with yet.
3 And so I don't want to say that we wouldn't be coming
4 back with a different package --

5 THE COURT: Yes, but you're asking me to let
6 her out just on her signature which gives me pause when
7 there's nobody else on the hook and she could cut off the
8 monitor and be gone.

9 MR. DAHLBERG: I understand, your Honor. I
10 don't think there's been anything presented that would
11 suggest that Ms. Puzyreva is a risk of doing that. And
12 the reason I say that, yes, she has ties to Russia and
13 that she was born there and her family is there. There's
14 been nothing presented that she is having business
15 related communications with individuals in Russia.

16 THE COURT: I understand. But the
17 investigation sort of came to a head quickly it seems
18 because Ms. Puzyreva and Mr. Goltsev were visiting. I
19 don't know the extent of the investigation. I only know
20 what's in the warrants.

21 MR. DAHLBERG: I agree, but it's the
22 government's burden to demonstrate a serious risk of
23 flight in the first instance.

24 THE COURT: And you saw what the Pretrial
25 Services report said which is that they recommend

Proceedings

1 detention as there's no condition or combination of
2 conditions. And I take what Pretrial Services says, I
3 don't have to agree with it and I can go against it. So
4 you've given me the most persuasive argument of the three
5 but I'm not all there, Mr. Dahlberg. Again, if she has
6 anybody in the United States who could sign for her, I'd
7 be more inclined.

8 MR. DAHLBERG: And if your Honor would permit
9 us to return in the future if we are able to identify
10 someone, I'd appreciate it.

11 THE COURT: Of course. Mr. McConnell, do you
12 want to be heard on this?

13 MR. McCONNELL: No. I think your Honor sort of
14 highlighted the issue which is that there is no one here
15 who can provide adequate surety. I think the hotel
16 arrangement --

17 THE COURT: But what else would she do? She
18 doesn't live here. She was only visiting. And I am
19 loathe to make somebody who could be innocent lose her
20 job.

21 MR. McCONNELL: And the government is as well.
22 We're mindful of that. The risk of flight is simply too
23 great. And certainly if there's a more substantial
24 package that involves individuals who can provide
25 adequate surety, we will consider it as will the Court.

Proceedings

1 THE COURT: Again, they don't have to be rich.
2 But after 14 years of living in a country that nobody
3 who's willing to say this person will come back to face
4 the charges gives the Court pause.

5 MR. DAHLBERG: And she certainly has plenty of
6 individuals in Canada, your Honor. She's lived there for
7 a long time. She's demonstrated a lot of stability in
8 her life.

9 THE COURT: Well again, if people in Canada are
10 willing to give us their credentials over the phone and
11 they have substantial assets and you get it with the
12 government -- again, I'm being very insistent with Ms.
13 Alvarez because she was having somebody from Brooklyn
14 appear by phone. But we've always had people in foreign
15 destinations hope can, even before COVID, appear by
16 phone. But we have to have their driver's license, their
17 passport. Somebody who I'm speaking to on the phone, how
18 am I going to verify they are anybody I know is a bona
19 fide suretor? And Canada is not all that far that if
20 somebody really wanted to stand up for her, they could
21 come and make a bail application.

22 MR. DAHLBERG: Understood.

23 THE COURT: Okay. So now I'm going back on
24 preliminary hearing starting with you, Ms. Sacks. Have
25 you discussed preliminary hearing with Mr. Goltsev?

Proceedings

1 MS. SACKS: I have, your Honor.

2 THE COURT: And?

3 MS. SACKS: And the government has 14 days and
4 we'll --

5 THE COURT: We're either scheduling it today
6 for a preliminary hearing or you're waiving preliminary
7 hearing. Those are the choices.

8 MR. DAHLBERG: Your Honor, maybe this will
9 help. I know Ms. Puzyreva, we're requesting a
10 preliminary hearing. That may answer the question if
11 they want to join in at the same time.

12 THE COURT: That's fine.

13 THE CLERK: So November 9th at 11 a.m.

14 MS. SACKS: We would join in that application.

15 MS. ALVAREZ: I would join. I just need to
16 check that that date would work. A moment, your Honor.
17 I apologize. That's fine, your Honor.

18 THE COURT: So again, a preliminary hearing is
19 requested by all three defendants and they are put on
20 notice that that sometimes means that the government will
21 go get an indictment before the preliminary hearing. And
22 if the government gets an indictment, you'll be brought
23 back to be arraigned on the indictment. Otherwise,
24 you'll be brought to court for a preliminary hearing on
25 that date. And it's to whoever was on duty on that date

Proceedings

1 I believe. Correct, Michelle? We're back to doing it as
2 a duty magistrate function.

3 So was there anything else that needed to be
4 addressed on behalf of the United States with respect to
5 Mr. Goltsev, Mr. Nasriddinov, and Ms. Puzyreva?

6 MR. McCONNELL: No, not from the government.
7 Thank you.

8 THE COURT: Was there anything else, Ms. Sacks,
9 that needed to be addressed on behalf of your client?

10 MS. SACKS: No, your Honor. I would just note
11 that he is on a specific medication for his stomach which
12 he has with him. So --

13 THE COURT: They're not going to let that into
14 the jail. And so the best that we could do is we'll give
15 you a medical memo and you should write down what the
16 prescription is. And then they will give him something
17 that is an equivalent at the facility. And he should
18 know that he should contact you if he's having problems
19 getting his medication.

20 MS. SACKS: Yes, your Honor.

21 MS. ALVAREZ: Your Honor, we need a medical
22 notation on my client as well. All his medication was
23 taken into custody by the agents so they are actually in
24 possession of them.

25 THE COURT: Do you have those medications?

Proceedings

1 UNIDENTIFIED SPEAKER: We do, your Honor.

2 THE COURT: Okay. If you can give them to
3 counsel so counsel can list them all on a sheet?

4 UNIDENTIFIED SPEAKER: Yes, your Honor.

5 THE COURT: Because they won't let the
6 medications go into the facility.

7 MS. ALVAREZ: Understood. I just --

8 THE CLERK: I just need an email from each --

9 UNIDENTIFIED SPEAKER: Yes, your Honor.

10 THE CLERK: I need an email from each defense
11 counsel with their medications and what we need --

12 THE COURT: With the list of the medications
13 and she'll put it in the memo.

14 THE CLERK: And marshals, I need their marshal
15 numbers. Thank you.

16 THE COURT: Okay. And we'll get their marshal
17 numbers so that we'll have that. And do you have
18 something as well?

19 MR. DAHLBERG: Yes, your Honor. Same
20 situation, a medical order, which I'll email to --

21 THE COURT: Wonderful.

22 MS. ALVAREZ: And your Honor, I would just ask
23 that if the interpreters could stick around so I can
24 speak to Mr., I'm going to butcher it again, Nasriddinov,
25 again and re-address the hearing. I just want to have a

Proceedings

1 chance to --

2 THE CLERK: Quickly.

3 MS. ALVAREZ: -- speak to him with an
4 interpreter.

5 THE CLERK: They have to go to --

6 THE COURT: Well, they should be able to let
7 you into the back with the interpreter. No? Marshals,
8 would that work out?

9 UNIDENTIFIED SPEAKER: Yes.

10 THE CLERK: It's okay for you guys? Okay.

11 THE COURT: Okay. And one last thing just so
12 it's on the record, I'm reminding the government of their
13 obligation under *Brady v. Maryland* and pursuant to
14 Federal Rule of Criminal Procedure 5(f) to disclose to
15 the defense all information, whether admissible or not,
16 that is favorable to the defendant, material either to
17 guilt or to punishment, and known to the prosecution.
18 The prosecution must make good faith efforts to disclose
19 such information to the defense as soon as reasonably
20 possible.

21 I will enter a written order more fully
22 describing this obligation and the possible consequences
23 of failing to meet it. And I direct the prosecution to
24 review and comply with that order.

25 Does the prosecution confirm that it

Proceedings

1 understands its obligations and will fulfill them?

2 MR. McCONNELL: Yes, we do.

3 THE COURT: Thank you. Okay. With that, we
4 are adjourned. Thank you.

5 THE CLERK: Thank you, all.

6 MR. DAHLBERG: Thank you, Judge.

7 THE COURT: I think I signed everything.

8 (Matter concluded)

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C E R T I F I C A T E

I, MARY GRECO, hereby certify that the foregoing transcript of the said proceedings is a true and accurate transcript from the electronic sound-recording of the proceedings reduced to typewriting in the above-entitled matter.

I FURTHER CERTIFY that I am not a relative or employee or attorney or counsel of any of the parties, nor a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

IN WITNESS WHEREOF, I hereunto set my hand this 6th day of November, 2023.



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